

WQAG MEETING SUMMARY

October 18, 2010

7:00 p.m.– 9:00 p.m.
255 Rockville Pike, Suite 120
Rockville, MD 20850

Member and affiliation	Present		Others in attendance and affiliation
	Yes	No	
Ed Brandt, public-at-large	✓		Lieutenant Marcus G. Jones, Montgomery County Dept of Police Special Investigations Division/Drug Enforcement Section
Trudi Bick, public-at-large	✓		
Beth Forbes, public-at-large (nominated)		✓	
Erica Goldman, scientific/academic	✓		
Carol Henry, scientific/academic	✓		
Alan Kravitz, public-at-large		✓	
Lonnie Luther, agricultural	✓		
Daphne Pee, public-at-large	✓		
Dusty Rood, Vice-Chair, business	✓		
Fred Samadani, agricultural	✓		
Danila Sheveiko, business	✓		
Mike Smith, environmental	✓		
Tanya Spano, environmental	✓		
Patrick Walsh, environmental		✓	
Daniel Wilson, business		✓	
Martin Chandler, WSSC	✓		
Meo Curtis, DEP	✓		
Mark Symborski MNCPPC	✓		
Agenda Item	Major Points		
7:00 Convene and approve September minutes and October agenda (Co-Chair Daphne Pee)	Ms. Daphne Pee convened the WQAG at about 7:05 p.m. She requested and received approval for August meeting summary with changes from Martin Chandler and also approval for the September meeting summary. Ms. Spano requested and received approval to modify the draft agenda (<i>Attachment A</i>) to allow her to provide an introduction before discussion about the Drug Take Back Event held on September 25, 2010.		
7:10 Background on Take Back Program (Tanya Spano)	Ms. Spano provided a review of the issues related to the Drug Take Back event and potential legislation and regulation to assure better management of unused pharmaceuticals.		
7:15 Report on Montgomery County Drug Take Back Event (Lt. Marcus Jones, Deputy Director, Montgomery County Dept. of Police)	Lt. Jones provided an overview of the Drug Take Back program, the primary goal of which is to reduce illegal drug use. Lt Jones was invited to speak to the WQAG because of the unintended secondary benefit of reducing the amount of improperly disposed of pharmaceuticals, and the potential impact that may have on water quality. Lt. Jones supports this type of program as a drug reduction mechanism, noting that it is staff intensive because it requires law enforcement personnel to assure proper chain of custody prior to disposal. The collected materials were taken to the Dickerson incinerator. The Drug Enforcement Administration provided funding for the incineration, and the county provided staff for receipt and transport of collected materials.		
7:45 Potential Legislation for Proper Disposal of Pharmaceuticals. (Martin Chandler)	Mr. Chandler provided a summary of the Secure and Responsible Drug Act of 2010. The U.S. Attorney General must now write new regulations to assure proper disposal of pharmaceuticals under the Controlled Substances Act. Mr.Chandler agreed to forward the exact citation for inclusion with the meeting summary. (included as <i>Attachment B</i>)		
7:35 Review of Letter of Recommendation drafted	Dr. Henry led the discussion on the draft letter of recommendation (two draft versions in <i>Attachment C</i>) for the Drug Take Back Event. There was consensus that these events assure the proper disposal of pharmaceuticals and thus the		

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for the Take Back Event (Carol Henry)	possibility of their entering local water bodies. There was some discussion about the amount of pharmaceuticals in aquatic systems from disposal through the wastewater system compared to that which enters via pass through from people for whom they are prescribed. <i>There was agreement that the Emerging Issues Sub-committee would modify the draft letter based on input at this meeting and would circulate it via e-mail for review and approval prior to the next WQAG meeting.</i>
8:10 Report on recent meeting with Anacostia Watershed Restoration Partnership (Mike Smith)	<p>Mike Smith provided a summary of the meeting of the ESD Sub-Committee and Dana Minerva, Executive Director for the Anacostia Watershed Restoration Partnership (AWRP). Ms. Minerva had given an overview of the Anacostia Restoration Plan (ARP) developed under Corps of Engineer leadership and the participation of agencies and stakeholders from Montgomery, Prince Georges, and the District of Columbia. Her presentation is included as <i>Attachment D</i>.</p> <p>Mr. Smith is the Chair of the Anacostia Watershed Citizens' Advisory Committee (AWCAC), which provides input to the AWRP. Mr. Smith had forwarded to the Sub-Committee the letter submitted by AWCAC to the County Councils to lobby the congressional delegation for funding projects identified through the ARP.</p>
8:20 Report on Letter of Recommendation drafted for the AWRP (Mike Smith)	<p>The ESD Subcommittee recommended that the WQAG provide a similar letter for funding. Patrick Walsh of the ESD Sub-Committee had drafted and forwarded a letter (<i>Attachment E</i>) to the WQAG for consideration. Mr. Walsh was out of town and so Mr. Smith led the discussion about the letter. <i>Mr. Smith agreed to revise the letter based on the evening's input and circulate it around to the ESD Subcommittee for comment.</i> Potential amendments included:</p> <ol style="list-style-type: none"> 1. Language on accountability and requiring coordination across agencies. 2. Need for quantifying expected improvements from projects and relationship to Montgomery County water quality goals 3. Pointing out the legal obligation of the County's MS4 permit, that the plan provides specific projects for the County, and an opportunity for interjurisdictional cooperation to address the degraded Anacostia river. 4. Noting the need to address the amount of private land that does not have stormwater management in the watershed
8:50 Report out from Nutrient Pollution Sub-Committee (Erica Goldman)	Ms. Goldman provided an update on the Nutrient Pollution Sub-Committee conference call, summary in <i>Attachment F</i> . The Sub-Committee will focus during the next few meetings on identify the connection between the Bay and local initiatives, what the County is doing for pollutant reduction, and what are the issues associated with non-regulated non-point sources.
9. Next Meetings and Adjournment	<p>The next meeting will be on Monday November 8.</p> <p>Ms. Curtis pointed out that for the past several years, the WQAG had not met in December. This year, the WQAG had missed two regularly scheduled meetings (February and May). After brief discussion, the WQAG decided to hold a regular meeting on 12/13.</p>

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Attachment A.

Draft Agenda:

7:00 Convene and approve September minutes and October agenda

7:15 Report on Montgomery County Take Back Event (Lt. Marcus Jones, Deputy Director, Montgomery County Dept. of Police)

7:35 Review of Letter of Recommendation drafted for the Take Back Event (Carol)

8:00 Report on recent meeting with Anacostia Watershed Restoration Partnership (Mike)

8:15 Report on Letter of Recommendation drafted for the AWRP (Mike, Patrick)

8:45 Report out from Nutrient Pollution Sub-Committee (Erica)

9:00 Adjourn

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Attachment B.

Safe and Secure Disposal Act of 2010.

One Hundred Eleventh Congress
of the
United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Tuesday,
the fifth day of January, two thousand and ten*

An Act

To amend the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances, and for other purposes.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the “Secure and Responsible Drug Disposal Act of 2010”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The nonmedical use of prescription drugs is a growing problem in the United States, particularly among teenagers.

(2) According to the Department of Justice’s 2009 National Prescription Drug Threat Assessment—

(A) the number of deaths and treatment admissions for controlled prescription drugs (CPDs) has increased significantly in recent years;

(B) unintentional overdose deaths involving prescription opioids, for example, increased 114 percent from 2001 to 2005, and the number of treatment admissions for prescription opioids increased 74 percent from 2002 to 2006; and

(C) violent crime and property crime associated with abuse and diversion of CPDs has increased in all regions of the United States over the past 5 years.

(3) According to the Office of National Drug Control Policy’s 2008 Report “Prescription for Danger”, prescription drug abuse is especially on the rise for teens—

(A) one-third of all new abusers of prescription drugs in 2006 were 12- to 17-year-olds;

(B) teens abuse prescription drugs more than any illicit drug except marijuana—more than cocaine, heroin, and methamphetamine combined; and

(C) responsible adults are in a unique position to reduce teen access to prescription drugs because the drugs often are found in the home.

(4)(A) Many State and local law enforcement agencies have established drug disposal programs (often called “take-back” programs) to facilitate the collection and destruction of unused, unwanted, or expired medications. These programs help get outdated or unused medications off household shelves and out of the reach of children and teenagers.

(B) However, take-back programs often cannot dispose of the most dangerous pharmaceutical drugs—controlled substance medications—because Federal law does not permit take-back programs to accept controlled substances unless they get specific permission from the Drug Enforcement Administration and arrange for full-time law enforcement officers to receive the controlled substances directly from the member of the public who seeks to dispose of them.

(C) Individuals seeking to reduce the amount of unwanted controlled substances in their household consequently have few disposal options beyond discarding or flushing the substances, which may not be appropriate means of disposing of the substances. Drug take-back programs are also a convenient and effective means for individuals in various communities to reduce the introduction of some potentially harmful substances into the environment, particularly into water.

(D) Long-term care facilities face a distinct set of obstacles to the safe disposal of controlled substances due to the increased volume of controlled substances they handle.

(5) This Act gives the Attorney General authority to promulgate new regulations, within the framework of the Controlled Substances Act, that will allow patients to deliver unused pharmaceutical controlled substances to appropriate entities for disposal in a safe and effective manner consistent with effective controls against diversion.

(6) The goal of this Act is to encourage the Attorney General to set controlled substance diversion prevention parameters that will allow public and private entities to develop a variety of methods of collection and disposal of controlled substances, including some pharmaceuticals, in a secure, convenient, and responsible manner. This will also serve to reduce instances of diversion and introduction of some potentially harmful substances into the environment.

SEC. 3. DELIVERY OF CONTROLLED SUBSTANCES BY ULTIMATE USERS FOR DISPOSAL.

(a) **REGULATORY AUTHORITY.**—Section 302 of the Controlled Substances Act (21 U.S.C. 822) is amended by adding at the end the following:

“(g)(1) An ultimate user who has lawfully obtained a controlled substance in accordance with this title may, without being registered, deliver the controlled substance to another person for the purpose of disposal of the controlled substance if—

“(A) the person receiving the controlled substance is authorized under this title to engage in such activity; and

“(B) the disposal takes place in accordance with regulations issued by the Attorney General to prevent diversion of controlled substances.

“(2) In developing regulations under this subsection, the Attorney General shall take into consideration the public health and safety, as well as the ease and cost of program implementation and participation by various communities. Such regulations may not require any entity to establish or operate a delivery or disposal program.

“(3) The Attorney General may, by regulation, authorize long-term care facilities, as defined by the Attorney General by regulation, to dispose of controlled substances on behalf of ultimate users

who reside, or have resided, at such long-term care facilities in a manner that the Attorney General determines will provide effective controls against diversion and be consistent with the public health and safety.

“(4) If a person dies while lawfully in possession of a controlled substance for personal use, any person lawfully entitled to dispose of the decedent’s property may deliver the controlled substance to another person for the purpose of disposal under the same conditions as provided in paragraph (1) for an ultimate user.”.

(b) CONFORMING AMENDMENT.—Section 308(b) of the Controlled Substances Act (21 U.S.C. 828(b)) is amended—

(1) by striking the period at the end of paragraph (2) and inserting “; or”; and

(2) by adding at the end the following:

“(3) the delivery of such a substance for the purpose of disposal by an ultimate user, long-term care facility, or other person acting in accordance with section 302(g).”.

SEC. 4. DIRECTIVE TO THE UNITED STATES SENTENCING COMMISSION.

Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall review and, if appropriate, amend the Federal sentencing guidelines and policy statements to ensure that the guidelines and policy statements provide an appropriate penalty increase of up to 2 offense levels above the sentence otherwise applicable in Part D of the Guidelines Manual if a person is convicted of a drug offense resulting from the authorization of that person to receive scheduled substances from an ultimate user or long-term care facility as set forth in the amendments made by section 3.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

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Attachment C. Emerging Issues SubCommittee

Dear Colleagues,

Apologies for sending two versions of a draft letter, but we ran out of time. The draft letters are about the recent DEA Drug Take Back Program. The Emerging Issue Group wanted you to have an idea of what we are recommending, but have not had time to integrate these two versions.

See you tonight.

Regards, Carol

Draft 10-16-10

Dear County Executive and County Council Members:

We are writing to you about the recent successful US Drug Enforcement Agency Drug Take Back Program in Montgomery County. The Montgomery County Police Department participated in this program with the DEA to provide MC residents with the means to safely and securely dispose of unwanted and/or outdated prescription drugs and other pharmaceuticals.

The Water Quality Advisory Group enthusiastically supports this program and activity because it removes pharmaceuticals safely and reduces the potential for disposal in water. While other sources of pharmaceuticals in water also need to be addressed, as well as improved technologies for removing pharmaceuticals and personal care products from water once they are there, the Take Back Program can provide an important prevention measure to protect our waters.

WQAG supports any and all efforts to prevent contaminants from reaching Montgomery County water sources. We want to provide information to county residents on this issue of water contaminants, including pharmaceuticals and personal care products, and what residents can do to prevent such contamination. WQAG will be exploring means to provide such information from expert organizations, such as EPA, WSSC, USGS, etc.

In conclusion, WQAG is pleased that the MC and MC Police Department participated in this first Drug Take Back event and supports and encourages participation in future events.

Sincerely,

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Draft 10-16-10

Dear County Executive and County Council Members:

On September 25, 2010, the Montgomery County Police Department participated in a first-time ever, Drug Take Back event initiated by the US Drug Enforcement Agency (DEA) as part of a nation wide effort to enable residents to safely and securely dispose of unwanted and/or outdated pharmaceuticals thus reducing the instances of those drugs potentially being abused. Montgomery County collected ____ pounds of drugs at two locations in the County, and the Water Quality Advisory Group (WQAG) encourages support for future efforts in this regard.

In addition to the reduction in instances of drug abuse, the WQAG also recognizes that removing unused pharmaceuticals from residential medicine cabinets and institutional facilities also reduces the amount of these substances being improperly disposed of down the toilet or sent to landfills, both of which could pose a threat to drinking water.

While other sources of pharmaceuticals in water also need to be addressed (i.e. agricultural uses), as well as improved technologies for removing pharmaceuticals from water once they are there, these Drug Take Back events can provide an important source reduction measure to protect our waters.

The WQAG supports any and all efforts to prevent contaminants from reaching Montgomery County water sources, and wants to provide information to county residents on the issue of water contaminants, including the proper disposal of pharmaceuticals. The WQAG will be exploring means to provide such information by coalescing information from relevant organizations, such as EPA, WSSC, USGS, etc., and making that information available to interested residents.

In conclusion, the WQAG is pleased that the MC and MC Police Department participated in this first Drug Take Back event and supports and encourages participation in future events.

Sincerely,

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Attachment D. Presentation about Anacostia Restoration Plan by Dana Minerva, Executive Director, Anacostia Watershed Restoration Partnership



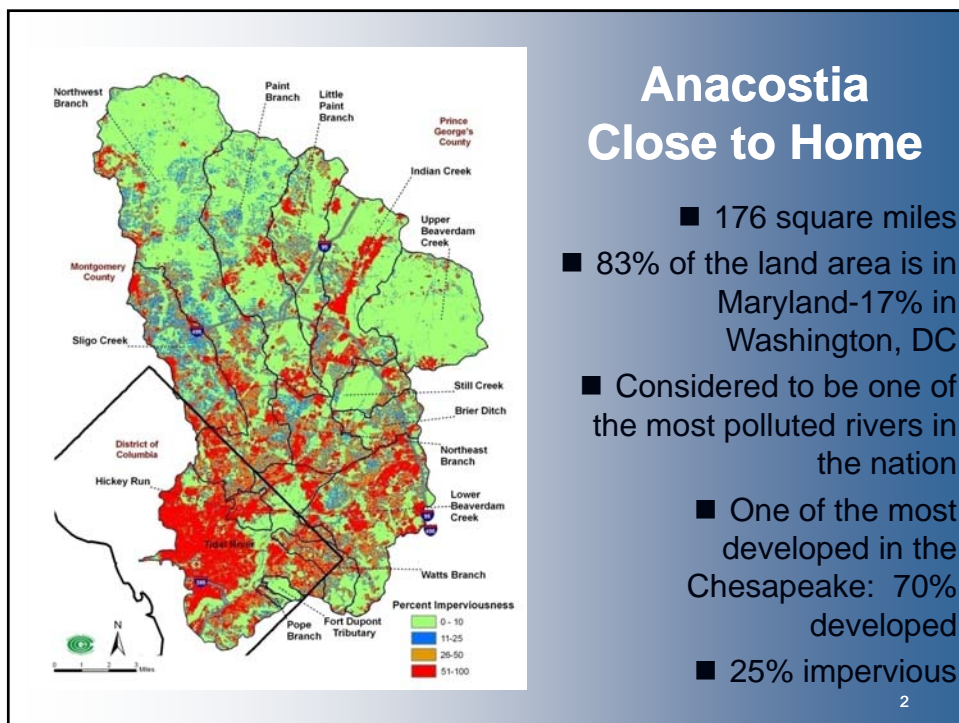
TURN IT AROUND

OUR ANACOSTIA  anacostia.net

Montgomery County
Water Quality Advisory Group
ESD Subcommittee
October 4, 2010

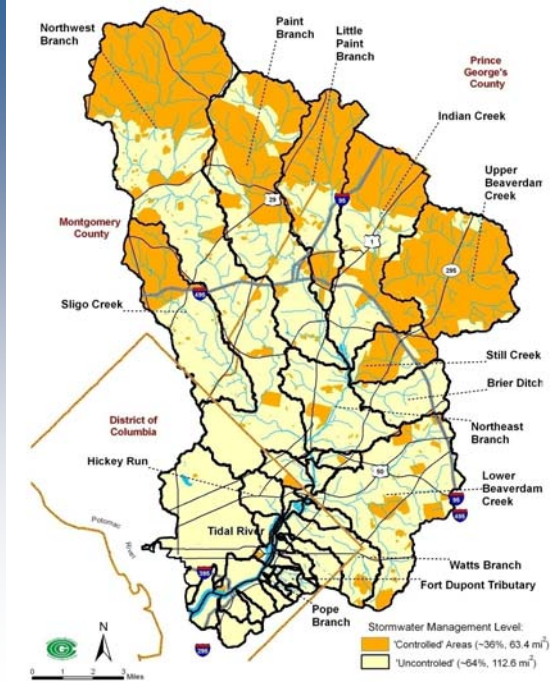
Anacostia Watershed Restoration

Dana Minerva
Anacostia Watershed
Restoration Partnership



General Level of Stormwater Management Control

- 64% of the impervious surface has NO stormwater controls



Erosion



- Erosion and flooding a serious problem in many streams

Sediment



Northwest Branch

Ubiquitous Trash



Concrete “streams” and other degraded habitat



Sewage



Stormwater



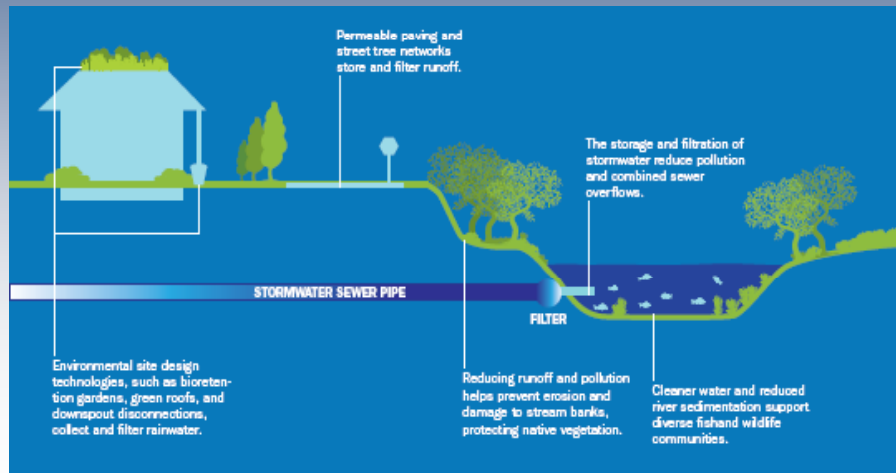
Northeast Branch: Before the Storm



Same place: after the storm



Sustainable Stormwater Management



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Green Roofs:



Residential projects:





Anacostia Watershed Restoration Plan

- Water Resources Development Act of 2007 required the US Army Corps of Engineers to:
“to develop, in conjunction with the District of Columbia, Maryland, Montgomery County and Prince George’s County, a 10-year comprehensive plan to provide for the restoration and protection of the ecological integrity of the Anacostia River and its tributaries.”



Anacostia Watershed Restoration Partnership

- Created by COG Resolution R28-06
- COG “houses” the Partnership providing staff and other support
- Funding primarily from the:
 - District of Columbia,
 - Montgomery County,
 - Prince George’s County,
 - the State of Maryland,
 - USEPA,
 - and the Summit Fund of Washington
- Website: www.anacostia.net, hosted by COG

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Plan Local Sponsors



The State of Maryland



The District of Columbia



Prince George's County



Montgomery County



Maryland-National Capital Park and Planning Commission



Metropolitan Washington Council of Governments

17



Plan Released, April 19



US House of Representatives Majority Leader Steny Hoyer
Master of Ceremonies

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Plan Recommendations- Projects

Proposed Projects by Restoration Strategy	Projects	Results
Stormwater Retrofit	1,892	10,600 acres of controlled impervious surface
Stream Restoration	342	72.5 miles of streams restored
Wetlands Restoration	116	137.4 acres of wetlands restored, created, or acquired
Fish Blockage Removal/Modification	146	41.7 miles of streams reopened for fish to migrate and spawn
Riparian Reforestation, Meadow Creation, Street Trees	152	347 acres restored, created or acquired
Trash Reduction	181	124.7 Miles of Streams Cleaned or Roads Swept
Parkland Acquisition	189	2,512.1 acres acquired



Plan Recommendations- Policies

- Stronger stormwater regulations
- Expedited permitting and tax credits for green developers, especially for expensive features like “green roofs”
- Homeowner incentives
- Green street programs
- Fees on disposable shopping bags
- Preservation of trees and stream buffers



Plan Benefits

- Reduced flooding
- Savings on infrastructure repairs
- Green jobs
- Better recreational opportunities
- Higher property values/redevelopment
- Aesthetic improvement
- Heat island mitigation
- Reduced trash cleanup costs

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Don't Have *Quantified* Economic Benefits, But Hope to Develop

- Great Lakes restoration economic benefits estimated at \$50 billion (Brookings)
- "Green City Clean Water" Plan for City of Philadelphia generates \$2 for every \$1 invested:
 - job creation
 - property value increase
 - energy conservation
 - increase in recreational use of waters
 - health benefits from reduction of heat island and air pollution.

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Continuing Challenges

- Substantial resource needs
- Multiple jurisdictions/partners
- 70% developed/25% impervious—can't change overnight
- Demonstrating measurable progress—progress hard to show and measure
- Showing that ESD retrofits are cost-beneficial

The Anacostia: still beautiful and useful!





For More Information:

**Dana Minerva
Executive Director
Anacostia Watershed Restoration
Partnership
202-962-3322**

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Attachment E. ESD SubCommittee

DRAFT

Isiah Leggett, Esq.
Montgomery County Executive
Executive Office Building
101 Monroe Street, 2nd Floor
Rockville, MD 20850

October 18, 2010

Dear Executive Leggett

Members the Montgomery County Water Quality Advisory Group recently met with the Executive Director of the Anacostia Watershed Restoration Partnership, Dana Minerva. She provided detailed information about the goals of the partnership and the recently released Anacostia Restoration Plan (ARP). The ARP is a concept plan initiated by US Congresswoman Elena Holmes Norton and created by the U.S. Army Corps of Engineers. It prescribes innovative guidance about the restoration of the Anacostia Watershed. After careful deliberation, the WQAG believes the goals of the ARP parallel those of Montgomery County.

If implemented, the ARP could provide considerable benefit to the citizens of Montgomery County. It would carry out numerous Environmental Site Design projects, which provide a suite of benefits, including improved water quality, reduced flooding, groundwater recharge, improved ecosystems, and the protection of local streams. Similar projects have been shown to increase property prices; providing critical appreciation in the current economy. Furthermore, the programs will fund green jobs and build local expertise in stormwater management; solidifying Montgomery County's reputation as a leader in the field. The program will also help the county satisfy its water quality requirements under the new MS4 permit.

The WQAG requests that you ask our local Anacostia Congressional Delegation, including Chris Van Hollen, Donna Edwards, Eleanor Holmes Norton, Steny Hoyer, Barbara Mikulski, and Ben Cardin, to help fund the program through Congress. These representatives have already publicly expressed support for the Plan, which is estimated to cost approximately \$2 billion over the next ten years, or \$200 million per year. The ARP is projected to significantly improve the Montgomery County Environment; please help support its implementation.

Sincerely,

The Montgomery County Water Quality Advisory Group

*Patrick, good letter. The only aspect of this that I object to is the apparent statement of fact related to the benefits of esd. There is considerable concern about esd policy, as it currently exists. If you could cushion this somehow I would be in support. Perhaps use of the word "potential", or something along those lines.
Thanks for stepping up and putting this letter together.
Dusty*

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Attachment F.

Montgomery County Water Quality Advisory Group Planning ideas for the pollution reduction subcommittee

The year 2010 marks the beginning of a new era in efforts to restore and protect the Chesapeake Bay watershed. With the failure to meet the deadline set forth in the ambitious Chesapeake 2000 agreement, along with continued violations under the Clean Water Act, executive and legislative imperatives now demand a new level of accountability in meeting water quality goals throughout the watershed.

In local jurisdictions such as Montgomery County, new Total Maximum Daily Load (TMDL) requirements will add a new layer of regulation on top of existing ones. To meet new load allocations will require intensive coordination among different agencies and offices within the county. This coordination will tax the capacity of agencies that are already spread thin.

With a goal of learning how we might contribute to improved interagency communication and cooperation in the TMDL process, the nutrient reduction subcommittee of WQAG plans to 1) Educate ourselves about how the TMDL and Watershed Implementation Planning process is taking place. With attention to pilot projects in Anne Arundel and Caroline County's, we seek to understand how implementation plans are being developed along more locally specific lines. 2) The nutrient reduction subcommittee also seeks to understand more about non-point sources that fall outside of the permitted MS4 system. The group has discussed reviewing the impact of agriculture in the load allocation for Montgomery County, as well as other sources of land-based non-point source pollution.

We plan to bring in speakers to help educate us in these two areas related to TMDLs, with the goal of informing ourselves on how best to advise the County Council and County Executive. Outreach will be an important component in our efforts this year. We plan to develop an outreach strategy based on the outcome of discussions at the November 2010 WQAG meeting.

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November 8, 2010

7:00 p.m.– 9:00 p.m.

Member and affiliation	Present		Others in attendance and affiliation
	Yes	No	
Ed Brandt, public-at-large		✓	Jim George, MDE TMDLs
Trudi Bick, public-at-large	✓		
Beth Forbes, public-at-large	✓		
Erica Goldman, scientific/academic	✓		
Carol Henry, scientific/academic	✓		
Alan Kravitz, public-at-large	✓		
Lonnie Luther, agricultural	✓		
Daphne Pee, public-at-large	✓		
Dusty Rood, Vice-Chair, business		✓	
Fred Samadani, agricultural	✓		
Danila Sheveiko, business	✓		
Mike Smith, environmental	✓		
Tanya Spano, environmental	✓		
Patrick Walsh, environmental	✓		
Daniel Wilson, business		✓	
Martin Chandler, WSSC	✓		
Meo Curtis, DEP	✓		
Mark Symborski MNCPPC	✓		
Agenda Item	Major Points		
7:00 Convene and approve October summary and November agenda (Co-Chair Daphne Pee)	<p>Co-Chair welcomed all at 7:05 p.m. She asked for introductions around the table to welcome Beth Forbes, new member just appointed by Council. She asked for approval of the October meeting summary and also the November meeting draft agenda shown in Attachment A. Ms. Curtis noted that Trudi Bick had forwarded additional language to better capture the context for inviting Lt. Jones and discussion of the take-back drug program.</p> <p>Tanya Spano asked for a change to the draft agenda to switch the order of the letter of recommendation for the Anacostia Watershed Restoration Plan and the letter of recommendation for the Pharmaceutical Collection Event. She noted that there was not yet a final draft letter concerning the emerging contaminants of concern.</p> <p>The meeting summary and revised agenda were approved as amended.</p>		
7:15 Introduction to the Chesapeake Bay TMDL (Jim George, MD Dept. of the Environment)	<p>Erica Goldman introduced Jim George from MDE. Ms. Goldman noted the intent was to find out more about how local efforts would be integrated into the Bay TMDL effort.</p> <p>Mr. George proceeded with his presentation on the history and next steps for adoption of pollutant allocations to meet Chesapeake Bay restoration goals. His presentation is shown in Attachment B. According to Mr. George, the County has four segments for which allocations will be determined: Patuxent, Potomac (non-DC), Anacostia, and Rock Creek. The TMDL will include accountability by sector and by sources with specific milestones for implementation. The current Phase 1 has the least specificity for allocations with much greater specificity required for the Phase 2 plans that will be due during 2011. In addition to the best</p>		

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	<p>management practices implementation goals, there could be revisions to policies, laws, and regulations to assure that pollutant reductions occur.</p> <p>Subsequent discussion included questions to clarify the scale of the pollutant allocations and the timelines for expected results. Mr. George emphasized that implementation would be an iterative process as the watershed implementation plans moved from less to more specificity. He also noted the importance of being able to integrate and nest existing resource protection plans within the Bay Restoration Watershed Implementation Plans. These more local plans include the MS4 permit implementation plans, local government's Capital Improvement Projects multi-year budgeting, and the nutrient management plans for agricultural areas, potentially leading to a State Water Quality Management Plan.</p> <p>The current Bay TMDL focuses on phosphorus, nitrogen, and sediment--sediment which affects water clarity. In areas where there are TMDLs to protect local water quality, the more restrictive pollutant allocation would need to be met. There are no specific drivers for cross-jurisdictional coordination. Each County will get an allocation and MDE hopes that jurisdictions will work on regional solutions for the most cost-effective implementation strategies. The focus is on modelled predictions, but there will continue to be water quality monitoring to document changes as implementation proceeds. There will also need to continue to be outreach in order to increase general awareness on the need and magnitude of effort to meet Bay Restoration goals.</p> <p>Ms. Goldman asked Mr. George what message should be conveyed to the Executive and Council. Mr. George responded on the need for a paradigm shift that will move from voluntary to regulatory and increasing social consciousness on economic consequences for restoring the Bay.</p>
7:45 Montgomery County's Trash TMDL and Opportunities to Link with the Chesapeake Goals (Meo Curtis, MDE)	<p>Ms. Curtis then provided a presentation (Attachment C) on the process for an implementation plan to meet an existing local TMDL, in this case the Trash TMDL for the Anacostia. She noted that the approach taken for the Trash TMDL is the same as that being used for other pollutants.</p> <p>Best available data is being used to estimate current pollutant loads and then scenarios with various levels of implementation and types of BMPs are analyzed to determine resulting pollutant loads and progress towards the load allocations provided by MDE. Estimated costs and schedule for implementation are also being developed. To achieve the Trash load reduction required, the recommendation is for significant outreach and awareness campaigns rather than extensive implementation of expensive infrastructure to keep trash from entering the storm drain system and being carried to receiving streams.</p> <p>The DEP intends to complete a draft implementation strategy by the end of the year and have a public meeting for input during early next year.</p>

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8:15 Overview of Next Steps for Pollution Reduction Sub-Committee (Erica Goldman)	Ms. Goldman then led a discussion about next steps for this subcommittee. The committee members would need more time for background on the implementation strategy, proposed stakeholder outreach, and how to get to those at the local level who are not already engaged. The subcommittee will follow up through a conference call.
8:20 Final Review of Letter of Recommendation for the AWRP (Mike Smith)	<p>Mike Smith provided an overview of how the subcommittee got to the draft letter of comment shown in Attachment D. Considerable word-smithing had already occurred and he hoped that WQAG members would focus on commenting on anything which the individual member might find objectionable.</p> <p>One concern from other WQAG members was the need for more succinct language so that the reader would know immediately why the letter had been written. Mr. Smith, Ms. Pee, and Ms. Henry would continue to work on the letter and would distribute a revised version to all WQAG members for comments before finalizing.</p>
8:40 Final Review of Letter of Recommendation for the Pharmaceutical Collection Event (Tanya, Trudi)	Ms. Spano summarized the issues associated with finalizing this letter (Attachment E). It had turned out more complicated than original thought to link the removal of drugs through the take-back program with water quality improvement. It seems that routinely these days there is new information being published about this issue, possible sources, and possible consequences. The subcommittee would work to finalize language of the letter to reflect WQAG member input and distribute a version for signature as soon as possible.
9. Next Meetings and Adjournment	<p>The next meeting will be on Monday December 13th. Daphne mentioned that Dusty Rood had suggested inviting a Council member. In preparation for this invitation, each subcommittee must draft a paragraph on priorities and work plan for the next few months. Ms. Pee agreed to follow up with the invitation.</p> <p>Meeting adjourned about 9 p.m.</p>

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Attachment A.

7:00 Convene and approve September minutes and October agenda

7:15 Introduction to the Chesapeake Bay TMDL (Jim George, MD Dept. of the Environment)

7:45 Montgomery County's Trash TMDL and Opportunities to Link with the Chesapeake Goals (Meo)

8:15 Overview of Next Steps for Pollution Reduction Sub-Committee

8:20 Final Review of Letter of Recommendation for the Pharmaceutical Collection Event (Tanya, Trudi)

8:40 Final Review of Letter of Recommendation for the AWRP (Mike)

9:00 Adjourn

WQAG MEETING SUMMARY

November 8, 2010

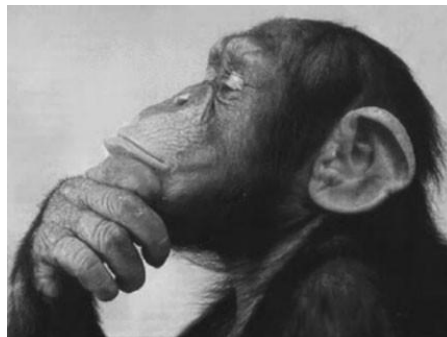
Attachment B. Jim George presentation

Parameter	Number of Samples
Nutrients	150
Biological	80
Sediment-related	60
Bacteria	50
PCBs	40
Metals	20
pH	10
Other	5

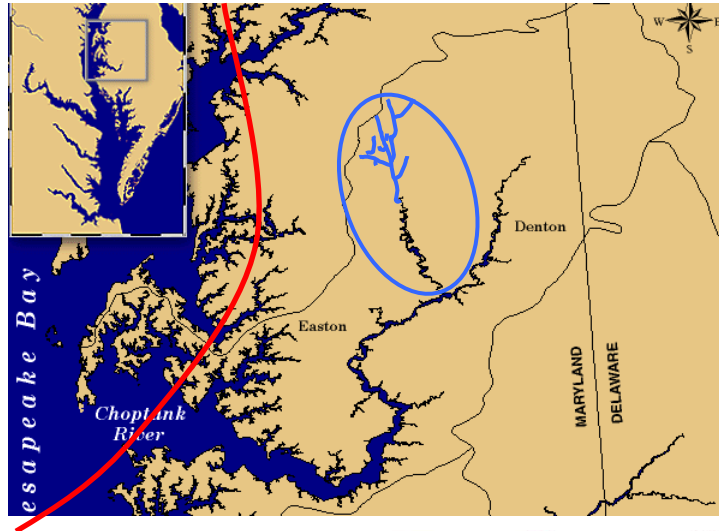


The TMDL is established and the pollution limits are set.

Now What?



Different Geographic Scales



5

Two Key Classes of Impairments

Near-field:

- Physical Stream Degradation
- “Biological” Impairment



6

Two Classes of Impairments (Con't)

Far-field:

- Downstream Effects of Nutrients & Sediments



7

Back to Basic Concepts

Pollution Limit (TMDL) Implies:

1. Restore Impaired Water Quality
 - Fix the sins of the past.
2. Maintain Restored Water Quality
 - Hold the line!

Simple! in concept.

8

Key Responsibilities

- **Federal:**
 - Ultimate Authority and Responsibility
- **State:**
 - Delegated authority for WQ Standards, Monitoring & Listing, TMDL Development, Permitting. Oversight of delegated programs.
- **Local (Government, SCDs):**
 - Stormwater management, E&S (delegated), Critical Areas, Forest Conservation, Land use planning, zoning, subdivisions, wells/septics...

9

The Chesapeake Bay TMDL, Bay Watershed Implementation Plans, and Two-Year Milestones



10

Orientation to the Water

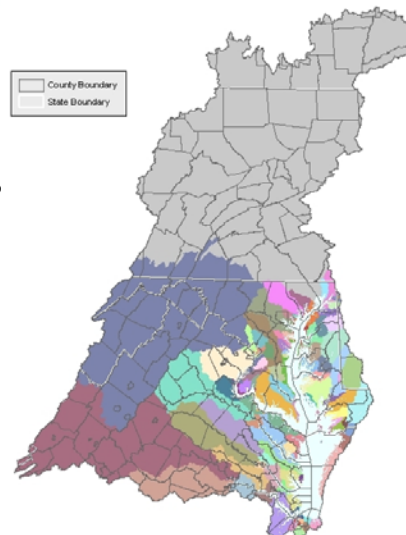
- 92 Chesapeake Bay Water Quality Segments
- 53 Maryland Water Quality Segments
(Shown Here.. There are more in Virginia part of Bay)



11

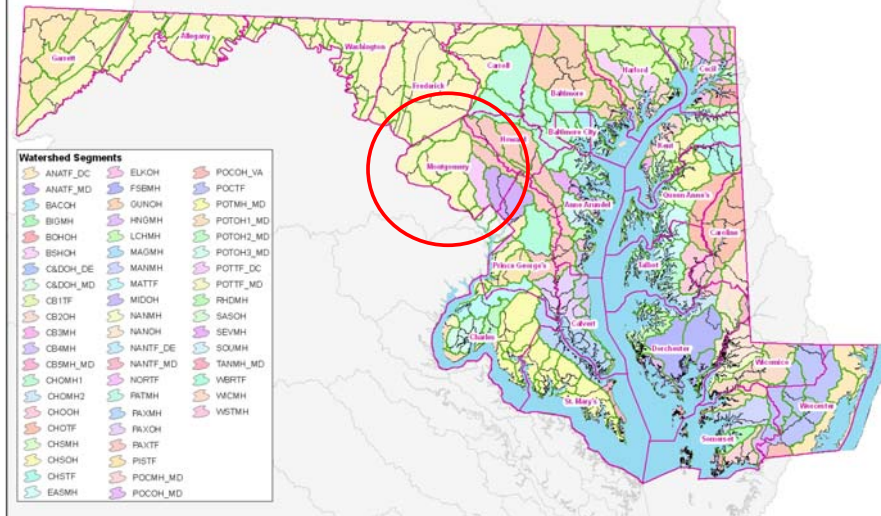
Orientation to the Land

- 92 Watersheds Drain to the 92 Bay WQ Segments
- 58 Maryland Watersheds Drain to the Bay WQ Segments
– (Some drain to VA WQ Segments)

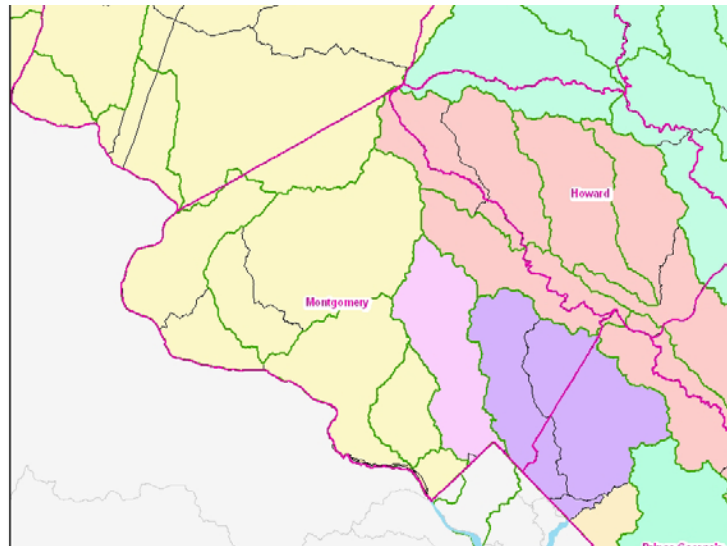


12

Orientation to the Land (Con't)



Orientation to the Land (Con't)



Maryland's Bay TMDLs

- 58 sub-watersheds
3 pollutants =>
174 TMDLs
for Maryland's part of
"Bay TMDL"
- Subdividing the Loads:
 - 58 Segment-Sheds
 - Political Jurisdictions
 - Source Sectors
- Promotes Accountability



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Two Parallel Activities

- Bay TMDL Development:
 - Model Development.
 - TMDL Analysis
 - Allocations
 - Watershed Implementation Plans
- On-going Bay Restoration Actions:
 - Old Goals Until Bay TMDL Completed.
 - 2-Year Milestones

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Three Planning Phases

- **Phase I Plans – Due 2010**
 - Set Target Pollution Loads:
 - Interim Target by 2017 (70% of Final Target)
 - Final Target by 2020 (Allocated to Sources and Locations)
 - Public Review: Sept. 24 – Nov. 8, 2010
 - Submit Plan to EPA Nov. 29, 2010
- **Phase II Plans – Due 2011 (might change)**
 - TMDL Allocations may be Modified
 - Loads Divided in More Detail
 - More detailed strategy to meet 2017 Interim Target
 - Draft Due June 1, 2011. Final Due November 1, 2011.
- **Phase III Plans – Due 2017**
 - Modification of TMDL and allocations, if necessary
 - Identify Strategy to meet Final Target

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Phase II Process

Overview

- Intent of Plan:
 - Set Planning-Level Target Loads for Implementation
 - More Geographic Detail of Target Loads
 - More Implementation Detail
 - Opportunity to Revise Phase I TMDL Allocations
 - Opportunity to Revise the Strategies
 - Provide consistent context for local watershed planning
- Timeline for Phase II Plan: (Might Change)
 - June 1, 2011: Draft
 - June – Nov:
 - Model Verification
 - Public Review
 - Plan Revision
 - November 1, 2011: Final

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Phase II Process (Con't)

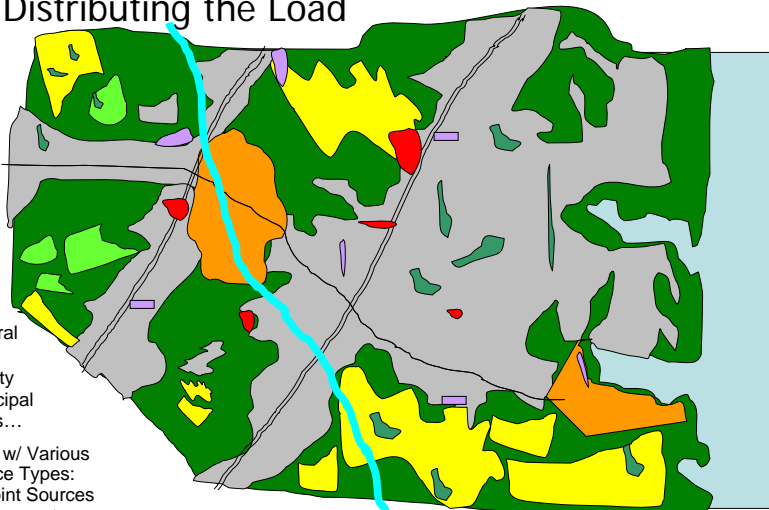
- General Approach
 - State “Liaisons”
 - State Steering Committee
 - Identify & Invite Responsible Parties – Local Leads
 - Step-by-Step Schedule & “Ground-Rules”
 - Support Materials, e.g., WIP Document Template
 - Request Essential Local Information
 - **Discuss & Refine Target Loads and Strategies**
 - Reach Consensus, Use State Default or Hybrid
 - Identify 2-yr Milestones by end of 2011

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Phase II Process (Con't)

- Distributing the Load



- Federal
- State
- County
- Municipal
- SCDs...
- Each w/ Various Source Types:
 - Point Sources
 - Stormwater
 - Cropland

20





“Do we have to develop TMDL implementation plans?”

Strong Local Desire:

“Avoid Another Layer of Planning.”

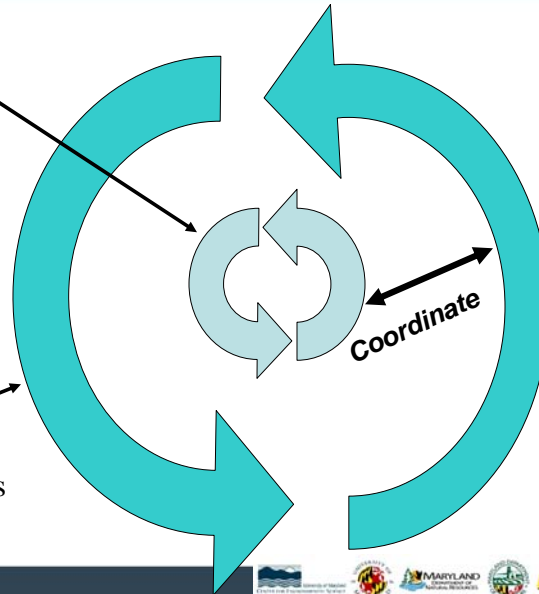


- TMDL Implementation Planning = Set of Linked Plans
 - WIPs (Phase I & Phase II) Set Basic Accounting
 - Multiple State & local plans combine to be our TMDL implementation planning framework.
- Need: To Document that the Plans Work Together.
- Need: Address the Different Timing of Plans.



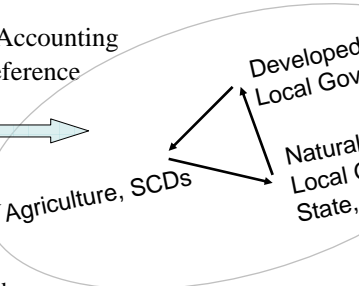

- e.g., CIP Updates
- SCD Planning
- Some Local Environmental Plans
- 2-Year Milestone Plans

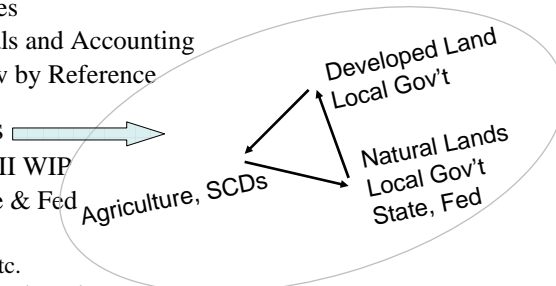
- Land Use Plan WREs
- Bay Watershed Plans



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- State WQ Management Plans (MD 6-digit)
 - Incorporate all below by Reference
- WIP Phases, I, II, III
 - Loading Targets by Sector, Segmentshed & Political Jurisdiction
 - BMP Reduction Analyses
 - Set Implementation Goals and Accounting
 - Incorporates all of below by Reference
- Local Watershed Plans 
 - More Detail than Phase II WIP
 - In partnership with State & Fed
 - Multiple-linked Plans:
 - MS4, WRE, WRAS, Etc.
 - Linked by what? To be adopted by mutual local/State agreement.



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Nested Watershed Plans



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Contacts:

MDE: Tom Thornton – 410 537-3656
TThornton@mde.state.md.us

DNR: Catherine Shanks – 410 260-8717
CShanks@dnr.state.md.us

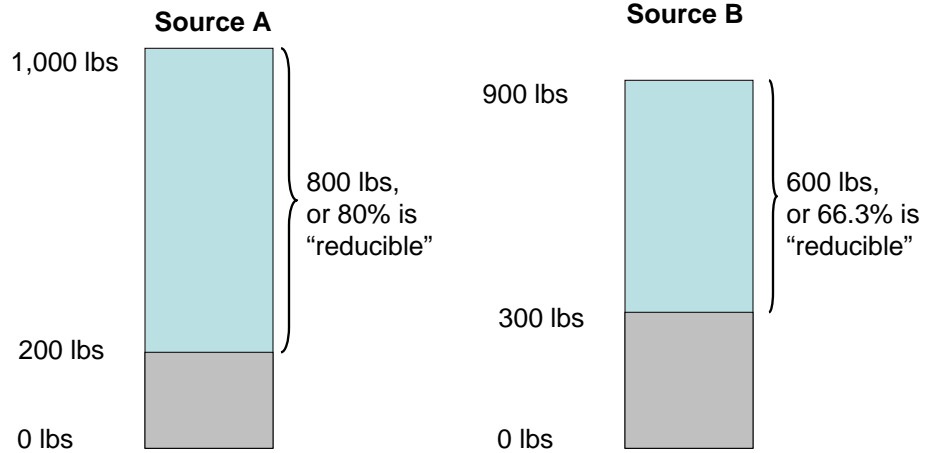
MDA: Beth Horsey – 410 841-5896
horseyea@mda.state.md.us

MDP: Jason Dubow – 410 767-3370
JDubow@mdp.state.md.us

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Equal % of Reducible Load

Example:

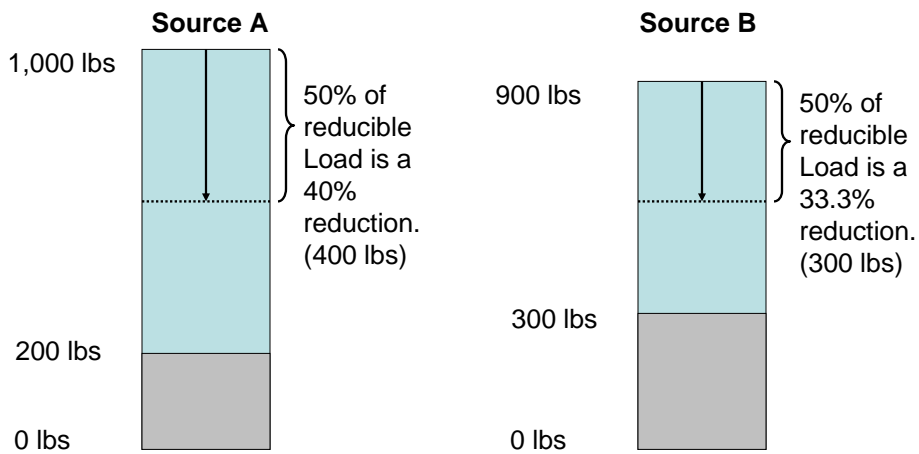


27



Equal % of Reducible Load (Con't)

Example: 50% of Reducible Load...



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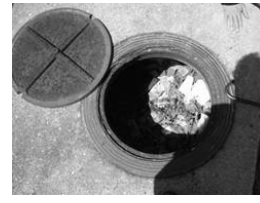


WQAG MEETING SUMMARY

November 8, 2010

Attachment C. Meo Curtis presentation

The MS4 Permit and Reducing Trash and Litter



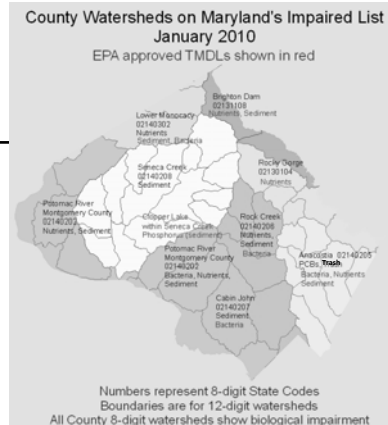
November 3, 2010

Meosotis Curtis, Manager
Watershed Planning and Monitoring

Presentation Outline

- Background on Permit
- County's approach to develop an MS4* implementation strategy
- Developing a Total Maximum Daily Load (TMDL) Implementation Plan
 - TMDL=pollution diet

**Municipal Separate Storm Sewer System*



November 3, 2010

2

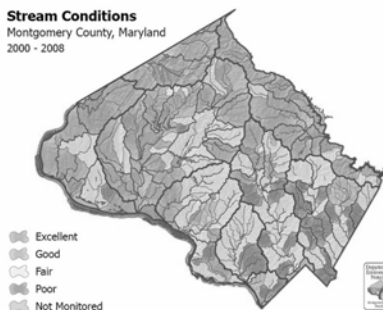
County Goal: *Streams in Good Condition*

Local Conditions help to set priorities for restoration



Sculpin

Stream Conditions
Montgomery County, Maryland
2000 - 2008



Stonefly

November 3, 2010

3

Third round MS4 permit

- Final Determination February 18, 2009
- Permit issued February 16, 2010
- Applies to Montgomery County and co-permittees
 - Towns of Chevy Chase, Chevy Chase Village, Kensington, Poolesville, and Somerset and the Village of Friendship Heights
 - Public Schools added as co-permittee
- Does not cover the Cities of Gaithersburg, Rockville, and Takoma Park, or areas controlled by MNCPPC, WSSC, or the Federal and State government

November 3, 2010

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Significant Permit Requirements

- **Watershed Restoration:** Implement restoration projects on 20% of impervious surfaces not currently controlled to the maximum extent practicable (MEP) and complete previous 10% restoration requirement
- **TMDLs:** Must meet MS4 permit wasteload allocations
- **Trash Reduction:** Implement initiatives to meet commitments in Trash Free Potomac Treaty goals
 - Includes Anacostia Trash TMDL just approved by EPA
- **Implementation Strategy:** Develop within one year after issuance to meet Permit requirements

November 3, 2010

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Anacostia Trash TMDL for Montgomery County 2010

Table E1. Daily trash TMDLs for Montgomery County portion of the Anacostia watershed

WLA (lbs/day removed)		LA (lbs/day removed)	MOS	TMDL (lbs/day removed)
Montgomery County MS4	621.6	180.7	Implicit	847.2
Takoma Park MS4	15.0			
Montgomery County State Highway Administration	4.1			
Montgomery County Other Point Sources	25.8			
Total WLA	666.5			

Note: lbs = pounds; MS4 = municipal separate storm sewer system

Table E2. Annual trash TMDLs for Montgomery County portion of the Anacostia watershed

WLA (lbs/yr removed)		LA (lbs/yr removed)	MOS	TMDL (lbs/yr removed)
Montgomery County MS4	226,869	65,945	Implicit	309,198
Takoma Park MS4	5,488			
Montgomery County State Highway Administration	1,489			
Montgomery County Other Point Sources	9,407			
Total WLA	243,253			

No numerical water quality criteria exist for trash. The TMDL target is equal to 100 percent removal of the baseline load calculated as an average (because of high seasonal and annual variability) of the measured or estimated removal rate from point and nonpoint sources. The baseline load is defined as the annual trash load calculated from monitoring data obtained through storm drain monitoring and in-stream sampling. The baseline load represents a typical annual load. The TMDL target is calculated to satisfy the narrative water quality standards for trash in Maryland and the District.

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Steps in developing a Trash TMDL Implementation Plan

- Determine Baseline Conditions
 - Land use and BMPs in place for year of TMDL development
- Identify suite of BMPs to control pollutant of interest (trash)
 - Structural (trash traps or inlet inserts)
 - Non-structural (street sweeping, litter pick ups)
- Identify where to put BMPs
- Estimate trash reduction
- Estimate costs and develop budget

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Baseline Programs FY2009

Trash Management Programs	Funding Agency	Coverage	Budget FY09
Solid Waste Management			
Waste Reduction	Solid Waste Services		\$378,430
Recycling, Single-family	Solid Waste Services	210,000 households	\$357,460
Recycling, Multi-family	Solid Waste Services	112,000 households	\$717,890
Recycling, Commercial	Solid Waste Services	35,000 businesses	\$1,888,940
Household Hazardous Waste (HHW) Program: Residential	Solid Waste Services		\$1,050,550
Hazardous Waste Program: Business small quantity	Solid Waste Services		\$40,560
Recycling Volunteer Program	Solid Waste Services		\$198,870
Enforcement Programs			
Illegal Dumping/Litter/Chapter 48 enforcement	Solid Waste Services	Entire county except for Town of Barnesville, Chevy Chase Village, Chevy Chase Section 3, City of Gaithersburg, Town of Garrett Park, Village of Martin's Additions, City of Rockville, Town of Somerset	\$19,250
Waste/Rubbish/Chapter 48 enforcement	Housing and Community Affairs		735,920
Solid Waste (Chapter 48) Enforcement: Collections	Solid Waste Services		251,640
Solid Waste (Chapter 48) Enforcement: Collections	Solid Waste Services		878,600
Street Litter/Trash			
Streetsweeping: Annual Countywide	Department of Transportation	3630 miles	\$265,000
Streetsweeping: Arterial Route 1,2,3,5 (4 " per year)	Department of Environmental Protection	189.56 miles ("4)	\$27,676
Streetsweeping: Priority Routes/spring/summer/fall	Department of Environmental Protection	3737.63 miles	\$272,847
Streetsweeping: Arterial Route 4 (11 " per year)	Department of Environmental Protection	39.83 miles ("11)	\$15,992
Adopt-A-Road	Department of Transportation	245 miles (countywide)	\$4,000
Transit Stop Trash Management	Department of Transportation	800 bus stops countywide	\$468,306
Alternative Community Services Litter Collection	Department of Transportation	Selected roadways	\$32,000
Stormwater ponds			
Pond maintenance and trash clearing	DEP/Watershed Management Division	8 ponds	\$20,000
Public Outreach			
Regional Litter Campaign for Trash-free Potomac	DEP/ Department of Transportation		\$50,000
Stormdrain Marking	Department of Transportation	countywide	\$1,000
Municipal Operations			
Depot Sweeping	Department of General Services	6 facilities each swept 6 times/year	\$15,000

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**Table E.1 Montgomery County Point Source
Baseline Loading Rates for Trash**

<i>Land Use</i>	<i>Loading Rate (lbs/ac/yr)</i>
Low-density residential ¹	1.19
Medium-density residential ¹	19.26
High-density residential ¹	7.88
Commercial ¹	2.22
Industrial ¹	2.22
Institutional ¹	2.22
Extractive ¹	2.22
Parkland ¹	0.32
Roadway ²	2.22
Agricultural ¹	0.32
Forest ¹	0.32
Water ¹	0.00
Bare Ground ¹	2.22

¹ Montgomery County Trash Loading Rates from Table 18 in *Draft Total Maximum Daily Loads of Trash for the Anacostia Watershed, Montgomery and Prince George's Counties, Maryland and The District of Columbia*, 2010

² Prince George's County Trash Loading Rates from Table 19 in *Draft Total Maximum Daily Loads of Trash for the Anacostia Watershed, Montgomery and Prince George's Counties, Maryland and The District of Columbia*, 2010

Trash BMP Categories

- Structural
 - Stormwater 95% removal
 - Instream controls (trash nets or traps) 90% removal
- Trash Prevention and Control
 - Educational
 - Municipal
 - Enforcement

Highest Priority: prevent trash from entering streams

- Education
- Provide proper disposal
- Street Sweeping
- Trapping in inlets

Trash Reduction Efficiencies by Program

<i>Program Type</i>	<i>Category</i>	<i>Unit Reduction Efficiency</i>
Structural BMPs; Trash Nets; Trash Traps	Structural	90-95% of Load from Drainage Area
Anti-litter Campaign; School-Based Programs	Educational	12% of Residential Land Use ¹
Continued Waste Reduction, Reuse, and Recycling Education and Investigations	Educational; Municipal; Enforcement	25% of Total Load off of areas that have recycling services. ²
Adopt-a-Stream Cleanups	Educational; Municipal	30% of Total Load ³
Plastic Bag Ban	Educational; Municipal; Enforcement	30% of Total Load ³
Littering and Illegal Dumping Enforcement; Dumpster Management	Enforcement	5% of Industrial and Commercial "Hot" Land Use ⁴
Storm drain marking; Catch Basin Cleanouts; Adopt-a-Road Cleanups; Street Sweeping	Educational; Municipal	5% of Roadway Load ⁵
Notes: ¹ Based on assumptions in WTM (CWP, 2001) associated with other outreach and education programs. Assumes half of residential land use is influenced by school age kids, effectiveness of messaging is 40% and willingness to participate is 60% or .5 x .4 x .6 = .12. ² Based on California state-wide target of 50% diversion of waste from landfills. Assumed half of target (CA Coastal Commission, unknown date). ³ Based on Anacostia Watershed Trash Reduction Plan, 2008. ⁴ Based on assumptions in WTM (CWP, 2001) associated with other outreach and education programs. Assumes 100% of industrial and commercial hot areas are targeted and 8% awareness and 60% effectiveness, or 1.0 x .08 x .6 = .05. ⁵ Limited data are available to that look at this, but unless frequencies are daily to weekly, street sweeping will have limited effectiveness (Marais and Armitage, 2004).		

November 3, 2010

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Setting Priorities by Land Use Type?

Table E.6: Solid Waste Trash Dumping Sites by Zoning for the Anacostia Watershed

<i>Land Use</i>	<i>General Zoning Type¹</i>	<i>Total # of Properties²</i>	<i>Proportion of Complaints (%)</i>	<i>Proportion of Annual Load (%)³</i>
High-density residential	Apartments	22	9.5	6.5
Medium and low-density residential	Residential	180	77.6	87.8
Commercial	Commercial	21	9.1	1.0
Forest	Unzoned	9	3.9	0.9

¹ From County PROPERTIES.shp

² From SWCases2004_2009_locations.shp

³ From Draft Anacostia Trash TMDL, 2010

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Consider Costs for non-structural BMPs?

Table E.4. Other National Trash Program Costs		
<i>Program Type</i>	<i>Cost</i>	<i>Source</i>
Streetsweeping	\$35-\$70/hr of sweeping	California Coastal Commission
Streetsweeping	\$100 - \$170 per curb mile (2005 \$ and based on quarterly sweeping)	SCVURPPP, 2007
Education and outreach	\$850K per year statewide	Washington State Department of Ecology, 2008
Education and outreach	\$5 Million statewide for Erase the Waste campaign	SWRCB, 2006
Education and outreach	\$0.35-\$1.22 per capita for advertising	New Jersey Clean Community Council, 2005
Volunteer Programs – Adopt-a-Highway	\$14.5 Million per year savings	Caltrans, 2007
Solid Waste Management – increased trash cans	\$600 per bin plus \$750/bin/year for maintenance	City of Los Angeles, 2002
Enforcement	\$1.3 Million, FY2003-04 budget	City of San Francisco, 2003

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Removing 621.6 lbs of trash per day

<i>Rank</i>	<i>Restoration Strategy</i>	<i>Potential Trash Reduction (lbs)</i>
1	Recycling Education and Investigations	
2	Plastic Bag Ban and Misc. Enforcement	
3	Anti-litter Cleanup Education	23,761
4	Household Underperforming BMPs	1,144
5	Collected Products	6,598
6	2009-2016 C&S Projects	2,786
7	Police Project Sites	56,341
8	Habitat Restoration	266
9	Streetsweeping	204
10	Commercial Property ESD Retrofits	25,348
11	Priority Neighborhoods ESD Retrofits	12,529
12	Private Non-residential ESD Retrofits	7,547

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Permit Requirement: Outreach and Involvement



- Develop Public Outreach and Stewardship Work Plan
 - Conduct public meetings and receive comments on Implementation Strategy
 - Encourage and promote stakeholder involvement in restoration actions
 - Build upon existing outreach programs
 - Identify additional outreach opportunities where needed to achieve restoration objectives
-

November 3, 2010

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Questions?

Meo Curtis, Manager
*Watershed Planning and Monitoring
Montgomery County Department of Environmental Protection
Watershed Management Division
240-777-1111
meo.curtis@montgomerycountymd.gov*

November 3, 2010

www.montgomerycountymd.gov/stormwaterpermit

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WQAG MEETING SUMMARY

November 8, 2010

Attachment D. Revised Letter on Anacostia Restoration Plan Funding

Dear XXXX <County Executive and Council member>,

The Anacostia River currently faces several challenges. Pollutants, such as legacy toxics, untreated sewage, and stormwater, all threaten its livelihood. But thanks to the work of the Anacostia Watershed Restoration Partnership (AWRP), the Anacostia also offers a great deal of opportunity for Montgomery County. At the request of Delegate Eleanor Holmes Norton (DC), the AWRP worked with the US Army Corps of Engineers to develop a thorough watershed restoration plan. With 34% of the Anacostia's total drainage area residing in Montgomery County, the Anacostia Restoration Plan (ARP) identifies much needed improvements in the Sligo Creek, Northwest Branch, Paint Branch, and Little Paint Branch subwatersheds. A great deal of Congressional support has been given to the AWRP and their restoration plan. However, implementing the recommendations requires millions of dollars. Recognizing the economic constraints of the County, the WQAG recommends that the County Executive and Council form a team to ask our local Anacostia Congressional Delegation, including Sen. Chris Van Hollen, Rep. Donna Edwards, Del. Eleanor Holmes Norton, Rep. Steny Hoyer, Sen. Barbara Mikulski, and Sen. Ben Cardin, to help significantly fund the program through Congress.

The ARP provides guidance about the restoration of the Anacostia through two basic parts:

- 1) A programmatic portion, recommending policies that will help to restore the Anacostia such as green streets programs to implement systematic retrofits of streets and alleys, the preservation of trees and stream buffers, and environmental site design requirements for both new and redevelopment; and,
- 2) A project portion, which lists thousands of potential projects in the categories of stormwater retrofits, stream restoration, wetland creation and restoration, fish blockage removal, riparian reforestation, trash reduction, toxic remediation, and parkland acquisition. Each project has been conceived and evaluated for cost, feasibility, benefit and other factors.

Members of the AWRP, including Montgomery County, have already committed to meeting the goals of restoration. The District of Columbia is investing several billion dollars to replace an antiquated sewer system that collects raw untreated water from DC and deposits it directly into the river after large rains. With the new goals and legal requirements established in Montgomery County's new MS4 permit, Montgomery County has leveraged the common interests of the MS4 and the ARP by incorporating its projects into the watershed restoration plan for the County.. To realize water quality standards throughout the Anacostia, Montgomery County must achieve an approximately 82% reduction in nitrogen loadings, an 81% reduction in phosphorus loadings, and an 86% in sediment loadings from baseline conditions. Meeting these goals will require implementing projects covering the scope of the nearly 900 projects identified in Montgomery County, estimated cost of approximately \$466 million.

Two ARP projects are already underway in the Sligo Creek subwatershed: a targeted restoration of the Breewood tributary which includes environmental site design retrofits for public property and roadways and ,through financial incentives, on private property. The WQAG strongly supports the implementation of these projects and recognizes the great effort and support by the County leadership

WQAG MEETING SUMMARY

November 8, 2010

and Department of Environmental Protection for ensuring their placement. However, the WQAG also recognizes that funding nearly 900 projects will be difficult and that funding support is critical.

Because of the Army Corps' role in creating the ARP, there is a potential opportunity to have federal funds directly assist the County in meeting its water quality improvement requirements. Maryland's and DC's congressional representatives have already publicly expressed support for the Plan, which is estimated to cost approximately \$2 billion over the next ten years, or \$200 million per year. If the ARP were well funded by the federal government, it would not only help the County with the restoration of the Anacostia, but also increase its flexibility to reallocate County funds to water quality improvement projects elsewhere which it considers to be priorities. With new legal requirements to meet MS4 water quality goals, this flexibility will likely be welcome by the County in the future. A well-funded ARP would increase the use of next generation environmental site design techniques, helping spur the creation of green businesses and jobs and improving the County's reputation and image as a green center. Finally, clean water has value beyond the law: it enhances livability, public health, recreation opportunities, and the health of the ecosystem.

Sincerely yours,

Water Quality Advisory Group

WQAG MEETING SUMMARY

November 8, 2010

Attachment E. Revised Draft Letter on Take Back Program

Dear County Executive and County Council Members:

On September 25, 2010, the Montgomery County Police Department (MCPD) participated in the first National Take Back Initiative (NTBI), a national effort sponsored by the U.S. Drug Enforcement Agency (DEA). By hosting two sites in Montgomery County, the MCPD provided citizens the opportunity to safely and securely dispose of unwanted and/or expired pharmaceuticals. Removing unwanted pharmaceuticals from medicine cabinets not only reduces the opportunity for potential drug abuse, but it also safeguards the County's water quality by reducing improper disposal of pharmaceuticals. For these reasons, the Water Quality Advisory Group (WQAG) enthusiastically supports future efforts in this regard.

According to Lt. Marcus Jones who was responsible for the MCPD effort, the collection event was very successful, far exceeding expectations, with citizens inquiring about drop-offs long after the event ended. The MCPD had collection sites at Police Headquarters in Rockville, and at the Bethesda Police Station from 10:00 a.m. until 2:00 p.m., with high levels of activity for the duration of the event. Twenty-two boxes of assorted pharmaceuticals, some of which were subject to Federal regulations pertaining to controlled substances, were collected from the two sites, and ultimately safely destroyed at an approved hazardous waste incinerator. As partners in this effort, the MCPD provided sworn police officers at each collection site to maintain a chain of custody for all collected materials, while the DEA funded the transportation of the collected pharmaceuticals to the incinerator and the disposal of all medication.

While these drug collection events are certainly a positive step in the reduction of pharmaceuticals in water, it is important to note that to date, much is unknown about this phenomena. A variety of pharmaceuticals have been detected at low levels in number of water bodies, but the potential impacts on human health and the environment are unclear. In addition, unused pharmaceuticals are not the only source of pharmaceuticals in water bodies. Preliminary research suggests that a significant source may result from excretion of pharmaceuticals from humans and animals. Research is underway, with much more needed to answer these and other questions. In the mean time, the WQAG is exploring recommendations for enhancing the information available about pharmaceuticals in water for Montgomery County residents.

The WQAG reached a consensus, agreeing that pharmaceutical collection events are a responsible way to dispose of pharmaceuticals and they minimize the potential of these drugs from entering our sewers or finding their way to local water bodies. The DEA is currently determining whether future events will be held. Should these events be offered, the WQAG enthusiastically supports the involvement of the MCPD and strongly encourages the County leadership to personally participate in the events. The WQAG views Drug Take Back Events as a win-win proposition for the County: reduction in potential drug abuse, and reduction in the amount of pharmaceuticals potentially impacting water quality in Montgomery County. For these reasons, the WQAG applauds the County, especially the MCPD, for participating in this most recent event and recommends participation in the future. Other counties and municipalities in Maryland offer independent collection events. The WQAG would happily provide more information on how these collection events are implemented and funded, should County leadership inquire.

Sincerely,

WQAG MEETING SUMMARY

December 13, 2010

7:00 p.m.– 9:00 p.m.

Member and affiliation	Present		Others in attendance and affiliation
	Yes	No	
Trudi Bick, public-at-large	✓		
Beth Forbes, public-at-large	✓		
Erica Goldman, scientific/academic		✓	
Carol Henry, scientific/academic		✓	
Alan Kravitz, public-at-large		✓	
Lonnie Luther, agricultural	✓		
Daphne Pee, public-at-large	✓		
Dusty Rood, Vice-Chair, business	✓		
Fred Samadani, agricultural	✓		
Danila Sheveiko, business		✓	
Mike Smith, environmental	✓		
Tanya Spano, environmental	✓		
Patrick Walsh, environmental	✓		
Daniel Wilson, business		✓	
Martin Chandler, WSSC	✓		
Meo Curtis, DEP	✓		
Mark Symborski MNCPPC	✓		
Agenda Item	Major Points		
7:00 Convene and approve November summary and December agenda (Co-Chair Daphne Pee)	<p>Co-Chair Pee asked for approval of the November meeting summary and draft December agenda (Attachment A).</p> <p><i>The summary was approved with grammatical and typographical corrections from Tanya Spano and amended language from Co-Chair Pee concerning invitations to Council. .</i></p>		
7:10 Thanks and Farewell to Vice-Chair Dusty Rood (Co-Chair Pee)	<p>Co-Chair Pee then presented Vice-Chair Rood with a Certificate of Appreciation from the Executive for his membership and service as Vice-Chair of the WQAG. Co-Chair Pee noted that the Co-Chairs and Vice-Chair have discussed next steps for leadership of the Water Quality Advisory Group and that the results of their discussion will be presented when Co-Chair Henry is present.</p> <p>Vice-Chair Rood thanked his fellow members and indicated that he hoped to bring another business representative to the WQAG.</p>		
7:20 Overview/Discussion of Next Steps for Pollution Reduction Sub-Committee (Co-Chair Pee)	<p>Co-Chair Pee told members that the Pollution Reduction is sub-committee held a conference call since the last WQAG meeting and had decided the priority for the next year would be to follow the State's Watershed Implementation Plans to meet the Chesapeake Bay TMDLs as they proceeded into Phase 2. Ron Bowen, Director of Anne Arundel County Public Works would be invited to the next WQAG meeting to discuss the approach being used in that County.</p> <p>Ms. Curtis mentioned that the approach used in Anne Arundel County (with tidal drainage) is very different than that likely to be used in Montgomery County (no tidal drainage and much upstream of Bay). At a workshop on Watershed Implementation Plans, Mr. Bowen and his staff had provided detailed presentations and indicated that the Anne Arundel</p>		

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	<p>County strategy would rely heavily on wastewater treatment plant upgrades, septic system upgrades, and stream restoration. There was little urban stormwater retrofit included.</p> <p>The Sub-Committee had developed draft language for steps toward the development of a Montgomery County Watershed Implementation Plan to meet the Bay TMDLs. This proposal included a recommendation for a committee that should be led by DEP to initiate and oversee development and coordination of such a plan.</p> <p>Ms. Curtis noted that it would not be DEP's role to lead such an interagency group given the number of non-Executive Branch agencies involved (including MNCPPC and WSSC). Montgomery County and other local governments had expressed their concerns to the State that MDE needed to take on interagency coordination role to assure meeting Bay TMDLs.</p> <p>Ms. Curtis reminded members of the recent presentations on the DEP's Watershed Restoration Implementation Strategy to meet the NPDES MS4 permit requirements. This strategy will include timelines, projects, and programs needed to meet the permit requirements for TMDLs (including Bay TMDLs when determined) and will be the driving factor for DEP's watershed management program priorities.</p>
7:25 Approval of Letter of Recommendation for the Pharmaceutical Collection Event (Tanya Spano and Trudi Bick)	<p>Ms. Spano and Ms. Bick reviewed the reason for the letter (Attachment B) and a requested commitment for continued local support for 'take back days.' Ms. Curtis recommended that Lt. Jones be cc: on this letter.</p> <p><i>The WQAG moved and approved without dissent to forward the letter, including Lt. Marcus Jones as a cc:</i></p>
7:30 Approval of Letter of Recommendation for the AWRP (Co-Chair Pee)	<p>Co-Chair Pee asked for approval of the letter (Attachment C) which had gone through considerable review and revision. Ms. Curtis suggested cc: to Dana Minerva, Executive Director of the Anacostia Restoration Partnership. Trudi Bick suggested that acronyms be used in the letter but Co-Chair Pee noted that previously Erica Goldman had recommended not using acronyms since the audience might not be familiar with the terms and groups mentioned. Co-Chair Pee noted that the letter is somewhat long but contains an appropriate balance of background, specific mention of two projects, and important step of funding the projects listed in the Anacostia Watershed Restoration Plan.</p> <p><i>Motion to approve was seconded and passed without dissent.</i></p>
8:10 Planning for Zoning Code Re-write Schedule (Co-Chair Pee)	<p>Co-Chair Pee noted that another item on the horizon was the Department of Planning's Zoning Code Re-Write. The ESD subcommittee had identified this as a priority to follow.</p> <p>Ms. Curtis mentioned that the DEP's consultant had completed the review of County codes for assuring 'ESD to the MEP.' This included recommendations for code changes, based on 'easy', 'hard' and 'no consensus' from the interagency group that worked on this. DEP had</p>

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	<p>agreed to continue to work with this group on the 'hard' and 'no consensus' recommendations and also to work with the Department of Planning to assure that these recommendations would be reflected in the zoning code rewrite.</p> <p><i>Ms. Curtis agreed to send out the link to the final ESD report and also presentations which summarized the recommendations.</i></p>
9. Next Steps	<p>Ms. Bick and Ms. Spano mentioned that the Emerging Issues Subcommittee would continue to work on defining outreach efforts. They hoped to review the WSSC web site and other sites to find information and identify a way to make it more readily available.</p>
10. Next Meeting and adjournment	<p>Next meeting will be Monday January 10th. Meeting adjourned at 8 p.m.</p>

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Attachment A.

7:00 Convene and approve November minutes and December agenda

7:15 Thanks and Farewell to Dusty (Daphne)

7:25 Overview/Discussion of Next Steps for Pollution Reduction Sub-Committee (Erica)

7:50 Approval of Letter of Recommendation for the Pharmaceutical Collection Event (Daphne, Dusty)

8:00 Approval of Letter of Recommendation for the AWRP (Daphne, Dusty)

8:10 Planning for Zoning Code Re-write Schedule (Daphne, Dusty)

8:20 Adjourn

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Attachment B. Draft WQAG Drug letter 12/8/2010

Dear County Executive and County Council Members:

On September 25, 2010, the Montgomery County Police Department (MCPD) participated in the first National Take Back Initiative, a national effort sponsored by the U.S. Drug Enforcement Administration (DEA). By hosting two sites in Montgomery County, the MCPD provided residents with the opportunity to safely and securely dispose of unwanted and/or expired pharmaceuticals. Removing unwanted pharmaceuticals from medicine cabinets not only reduces the opportunity for potential drug abuse, but it also safeguards the County's drinking water sources and water quality by reducing improper disposal of pharmaceuticals. The Water Quality Advisory Group (WQAG) applauds the County, especially the MCPD, for participating in this recent event and supports future drug take-back events.

While these drug collection events are seen as a positive step in the reduction of pharmaceuticals discharged into regional and local waters, it is important to note that, to date, much is unknown about this phenomenon and further research is needed. A variety of pharmaceuticals have been detected at low levels in a number of water bodies nationwide as well as locally, but the potential impacts on human health and the environment are unclear. Unused pharmaceuticals are not the only source of pharmaceuticals in water bodies – research indicates that excretion of metabolized pharmaceuticals from humans into the sewers (where conventional wastewater treatment processes are not designed for total removal of pharmaceutical substances) is a major source, while agricultural sources including runoff of animal manure can also be a significant source. WSSC and other regional water utilities have participated in limited local monitoring and continue to support research at a national level via funding contributions to research institutions. In the meantime, the WQAG is exploring recommendations for enhancing the information available about pharmaceuticals in water for Montgomery County residents.

The WQAG endorses pharmaceutical collection events as a responsible way to dispose of unwanted or expired pharmaceuticals as well as reducing the loading of drugs to the sewers and consequently reducing their potential impact to local and regional drinking water sources and water bodies. The DEA is currently determining whether future events will be held. Should these events be offered, the WQAG supports the involvement of the MCPD and encourages the County leadership to participate in and promote the events.

Sincerely,

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Attachment C. Letter concerning Anacostia Restoration Plan projects

Dear County Executive and County Council Members:

The Montgomery County Water Quality Advisory Group (WQAG) recommends that the County Executive and Council jointly ask our local congressional delegation, representing the Anacostia River, to help fund the Anacostia Restoration Plan through Congress. With 34% of the Anacostia's total drainage area residing in Montgomery County, the Anacostia Restoration Plan identifies much needed improvements in the Sligo Creek, Northwest Branch, Paint Branch, and Little Paint Branch subwatersheds.

The Anacostia River currently faces severe impairments. Pollutants, such as legacy toxics, untreated sewage, and stormwater, all threaten its livelihood. But thanks to the work of the Anacostia Watershed Restoration Partnership, the Anacostia also offers great opportunity for Montgomery County. At the request of Delegate Eleanor Holmes Norton (DC), the partnership worked with the U.S. Army Corps of Engineers to develop a thorough watershed restoration plan. The Anacostia Watershed Restoration Partnership and the Anacostia Restoration Plan have already received a great deal of support from Congress. However, to implement the recommendations will require significantly more. Recognizing the economic constraints faced in Montgomery County, the WQAG recommends that the County Executive and Council come together to ask our local Anacostia congressional delegation, including Sen. Chris Van Hollen, Rep. Donna Edwards, Del. Eleanor Holmes Norton, Rep. Steny Hoyer, Sen. Barbara Mikulski, and Sen. Ben Cardin, to help fund the implementation of the Anacostia Restoration Plan through Congress.

Members of the Anacostia Watershed Restoration Partnership, including Montgomery County, have committed already to meet the goals of restoration. With the new goals and legal requirements established in Montgomery County's new MS4 permit, Montgomery County has leveraged the common interests of the permit and the Anacostia Restoration Plan by incorporating its projects into the watershed restoration plan for the County. To realize water quality standards throughout the Anacostia, Montgomery County must achieve an approximately 82% reduction in nitrogen loadings, an 81% reduction in phosphorus loadings, and an 86% in sediment loadings from baseline conditions. Meeting these goals will require implementing projects covering the scope of the nearly 900 projects identified in Montgomery County, estimated cost of approximately \$466 million.

Two Anacostia Restoration Plan projects are already underway in the Sligo Creek subwatershed: a targeted restoration of the Breewood tributary, which includes environmental site design retrofits for public property and roadways, and one on private property through financial incentives. The WQAG strongly supports the implementation of these projects and recognizes the great effort and support by the County leadership and Department of Environmental Protection for ensuring their placement.

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However, the WQAG also recognizes that funding nearly 900 projects identified in the Anacostia Restoration Plan will be difficult and that funding support is critical. Because of the role of the Army Corps in creating the Anacostia Restoration Plan, a potential opportunity exists for federal funds to assist the County directly in meeting its water quality improvement requirements. Federal funds would enable the County to be more flexible in reallocating its own funds to support other priority water quality improvement projects. In addition, a well-funded Anacostia Restoration Plan would also increase the use of next generation environmental site design techniques, helping spur the creation of green businesses and jobs and improving the County's reputation and image as a green center.

Thank you for your attention our recommendation. We would be pleased to have further discussions at your convenience.

Sincerely,